

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

LEAH BURNETT, on her own behalf and on  
behalf of a CLASS OF SIMILARLY  
SITUATED EMPLOYEES OF  
DEFENDANT,

Plaintiffs,

vs.

WEST CUSTOMER MANAGEMENT  
GROUP, LLC, a Delaware limited liability  
company,

Defendant.

NO. CV-10-0056-JLQ

ORDER

On September 2, 2010, counsel for the parties filed a Notice of Settlement (Ct. Rec. 44). The Notice indicates the "class action" has been settled, and requests the court to retain jurisdiction to consider preliminary and final approval of the class action settlement. The court notes that this settlement has been reached prior to the court ruling on a motion for certification of the class. Although such pre-certification settlements may be approved by the court, the court is required to apply a higher standard of fairness to ensure all the requirements of Fed.R.Civ.P. 23 are met. *See Amchem Prods., Inc. v. Windsor*, 521 U.S. 591, 621 (1997). Accordingly, the court directs the parties to file the motion for class certification and the motion for preliminary approval of the settlement simultaneously.

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Pursuant to this Order the pending Motion to Compel (**Ct. Rec. 20**) and Motion to Dismiss (**Ct. Rec. 25**) shall be administratively **TERMINATED**.

**IT IS SO ORDERED.** The Clerk is hereby directed to enter this Order and furnish copies to counsel.

**DATED** this 3rd day of September, 2010.

s/ Justin L. Quackenbush  
JUSTIN L. QUACKENBUSH  
SENIOR UNITED STATES DISTRICT JUDGE